

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN LOFFREDO, et al., individually and as
representatives of a class of similarly situated
persons,

Case No. 2:10-cv-14214

Hon. Julian Abele Cook, Jr.

Plaintiffs,

v.

CERBERUS CAPITAL MANAGEMENT, L.P.,
a limited partnership, STATE STREET BANK
AND TRUST COMPANY, a Massachusetts trust
company, JOHN DOE and MARY DOE, individuals,

Defendants.

STIPULATION AND ORDER REGARDING SCHEDULE

Plaintiffs and Defendants Cerberus Capital Management, L.P. and State Street Bank & Trust Company (collectively “Defendants”) by their respective counsel, submit this stipulation and order for answering or filing motions in response to the Complaint:

WHEREAS Plaintiffs filed the above captioned lawsuit in Wayne County Circuit Court on or about September 9, 2010.

WHEREAS Cerberus Capital Management, L.P. removed the above captioned matter to this Court with the concurrence of the named Defendants in this action on October 21, 2010.

WHEREAS counsel for Plaintiffs and Defendants held a telephonic conference on October 22, 2010 and agreed to the following schedule for the purpose of filing answers or motions in response to the Complaint:

THE PARTIES HEREBY STIPULATE AS FOLLOWS:

- Defendants shall answer, move or otherwise respond to the Complaint on or before December 13, 2010;
- Plaintiffs shall file their response briefs on or before January 31, 2011; and
- Defendants shall file their reply briefs on or before March 4, 2011.

ORDER

THIS MATTER having come before the Court upon the foregoing stipulation of the Parties, and the Court being fully advised in the premises:

IT IS ORDERED that the above referenced schedule is hereby adopted as an Order of this Court.

DATED: November 29, 2010

s/Julian Abele Cook, Jr.
Hon. Julian Abele Cook, Jr.
United States District Court Judge

Approved as to Substance and Form:

October 26, 2010

/s/ Mayer Morganroth (with consent)
Mayer Morganroth (P17966)
Jeffrey B. Morganroth (P41670)
MORGANROTH & MORGANROTH PLC
344 N. Old Woodward Avenue, Suite 200
Birmingham, MI 48009
Telephone: (248) 864-4000
Facsimile: (248) 864-4001

/s/ Michael G. Brady
Michael G. Brady (P57331)
WARNER NORCROSS & JUDD LLP
2000 Town Center, Suite 2700
Southfield, MI 48072
Telephone: (248) 784-5000
Facsimile: (248) 784-5005
mbrady@wnj.com

-and-

Sheldon L. Miller (P17785)
LAW OFFICES OF SHELDON L. MILLER
31731 Northwestern Highway, Ste 280W
Farmington Hills, MI 48334
Telephone: (248) 538-340
Facsimile: (248) 538-5280
Attorneys for Plaintiffs

-and-

Howard O. Godnick
howard.godnick@srz.com
Assunta Vivolo
assunta.vivolo@srz.com
SCHULTE ROTH & ZABEL LLP
919 Third Avenue
New York, NY 10022
Telephone: (212) 756-2000
Facsimile: (212) 593-5955
Attorneys for Defendant Cerberus Capital Management, L.P.

/s/ Wilber H. Boies (with consent)

Wilbur H. Boies
Nancy G. Ross
MCDERMOTT WILL & EMERY LLP
227 W. Monroe Street
Chicago, IL 60606
Telephone: (312) 984-7686

-and-

James D. VandeWyngearde
Pepper Hamilton LLP
100 Renaissance Center, Suite 3600
Detroit, Michigan 48243-1157
P (313) 393 7387
Attorneys for State Street Bank & Trust, Company